Jeffrey N. Pomerantz, Esq.
Andrew W. Caine, Esq.
(admitted *pro hac vice*)
PACHULSKI STANG ZIEHL & JONES LLP
10100 Santa Monica Boulevard

Los Angeles, California 90067-4100 Telephone: (310) 277-6910 Telecopy: (310) 201-0760

Counsel for the Circuit City Stores, Inc. Liquidating Trust

Lynn L. Tavenner, Esq. (VA Bar No. 30083) Paula S. Beran, Esq. (VA Bar No. 34679) TAVENNER & BERAN, PLC 20 North Eighth Street, 2<sup>nd</sup> Floor Richmond, Virginia 23219 Telephone: (804) 783-8300

#### IN THE UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF VIRGINIA RICHMOND DIVISION

In re: Chapter 11

CIRCUIT CITY STORES, INC., et al.,. : Case No. 08-35653-KRH

: (T : 41 A 1 : : 4 T)

Telecopy: (804) 783-0178

Debtors. : (Jointly Administered)

:

#### NOTICE OF LIQUIDATING TRUST'S THIRTY-NINTH OMNIBUS OBJECTION TO LANDLORD CLAIMS (REDUCTION OF CERTAIN INVALID CLAIMS-MITIGATION)

**PLEASE TAKE NOTICE** that the Circuit City Stores, Inc. Liquidating Trust (the "Liquidating Trust" and/or "Trust"), through Alfred H. Siegel, the duly appointed trustee of the Trust (the "Trustee"), pursuant to the Second Amended Joint Plan of Liquidation of Circuit City Stores, Inc. and its Affiliated Debtors and Debtors in Possession and its Official Committee of Creditors Holding General Unsecured Claims in the above-captioned cases of the above referenced estates of Circuit City Stores, Inc. et al. (collectively, the "Debtors") filed the Liquidating Trust's Thirty-Ninth Omnibus Objection to Landlord Claims (Reduction of Certain Invalid Claims-Mitigation) (the "Objection") with the United States Bankruptcy Court for the Eastern District of Virginia (the "Bankruptcy Court"). A copy of the Objection is attached to this notice (this "Notice") as <a href="Exhibit 1">Exhibit 1</a>. By the Objection, the Liquidating Trust is seeking to expunge certain claims unless claimant demonstrates that it has met applicable mitigation requirements. To the extent that claimant establishes that it has met its mitigation burden and shows that applicable mitigation occurred, the Objection seeks to reduce the claim to the thereby established amount taking into account mitigation and 11 U.S.C. § 502(b)(6).

**PLEASE TAKE FURTHER NOTICE THAT** on April 1, 2009, the Bankruptcy Court entered the Order Establishing Omnibus Objection Procedures and Approving the Form and Manner of the Notice of Omnibus Objections (Docket No. 2881) (the "Order"), by which the Bankruptcy Court approved procedures for filing omnibus objections to proofs of claim and

requests for allowance and payment of administrative expenses and/or cure claims (collectively, the "Claims") in connection with the above-captioned chapter 11 cases (the "Omnibus Objection Procedures").

Specifically, the Objection seeks to reduce or disallow certain claims, including your claim(s), listed below, all as set forth in the Objection.

TO: <u>Claim Claim Reference</u> <u>Number Amount Objection</u>

SPECIFIC INFORMATION PROVIDED ON INDIVIDUALIZED NOTICE

YOU ARE RECEIVING THIS NOTICE BECAUSE THE PROOF(S) OF CLAIM LISTED HEREIN THAT YOU FILED AGAINST ONE OR MORE OF THE DEBTORS IN THE ABOVE-CAPTIONED CHAPTER 11 CASES ARE SUBJECT TO THE OBJECTION. YOUR RIGHTS MAY BE AFFECTED BY THE OBJECTION. THEREFORE, YOU SHOULD READ THIS NOTICE (INCLUDING THE OBJECTION AND OTHER ATTACHMENTS) CAREFULLY AND DISCUSS THEM WITH YOUR ATTORNEY. IF YOU DO NOT HAVE AN ATTORNEY, YOU MAY WISH TO CONSULT ONE.

MOREOVER, PURSUANT TO RULE 3007-1 OF THE LOCAL RULES OF THE UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF VIRGINIA AND THE OMNIBUS OBJECTION PROCEDURES, UNLESS A WRITTEN RESPONSE IS FILED WITH THE CLERK OF THE COURT AND SERVED ON THE OBJECTING PARTY BY 4:00 P.M. (EASTERN TIME) ON JUNE 26, 2012, THE COURT MAY DEEM ANY OPPOSITION WAIVED, TREAT THE OBJECTION AS CONCEDED AND ENTER AN ORDER GRANTING THE RELIEF REQUESTED WITHOUT A HEARING.

#### <u>Critical Information for Claimants</u> <u>Choosing to File a Response to the Objection</u>

Who Needs to File a Response: If you oppose the relief requested in the Objection and if you are unable to resolve the Objection with the Liquidating Trust before the deadline to respond, then you must file and serve a written response (the "Response") to the Objection in accordance with this Notice.

If you do not oppose the relief requested in the Objection, then you do not need to file a written Response to the Objection and you do not need to appear at the hearing.

Response Deadline: The Response Deadline is <u>4:00 p.m. (Eastern Time) on June 26,</u> 2012 (the "Response Deadline").

THE BANKRUPTCY COURT WILL ONLY CONSIDER YOUR RESPONSE IF YOUR RESPONSE IS FILED, SERVED <u>AND</u> RECEIVED BY THE RESPONSE DEADLINE.

Your Response will be deemed timely filed only if the Response is <u>actually received</u> on or before the Response Deadline by the Bankruptcy Court at the following address:

Clerk of the Bankruptcy Court United States Bankruptcy Court 701 East Broad Street – Room 4000 Richmond, Virginia 23219

Your Response will be deemed timely served only if a copy of the Response is actually received on or before the Response Deadline by the Liquidating Trust's attorneys:

Jeffrey N. Pomerantz, Esq. Andrew W. Caine, Esq. (admitted *pro hac vice*) PACHULSKI STANG ZIEHL & JONES LLP 10100 Santa Monica Boulevard Los Angeles, California 90067-4100 Telephone: (310) 277-6910

Telecopy: (310) 277-6910 Telecopy: (310) 201-0760 Lynn L. Tavenner, Esq. (VA Bar No. 30083) Paula S. Beran, Esq. (VA Bar No. 34679)

TAVENNER & BERAN, PLC 20 North Eighth Street, 2<sup>nd</sup> Floor Richmond, Virginia 23219 Telephone: (804) 783-8300

Telecopy: (804) 783-0178

The status hearing on the Objection will be held at <u>2:00 p.m. (Eastern Time) on July 10, 2012 at:</u>

United States Bankruptcy Court 701 East Broad Street – Courtroom 5000 Richmond, Virginia 23219

If you file a timely Response, in accordance with the Objection Procedures, you do <u>not</u> need to appear at the status hearing on the Objection.

#### <u>Procedures for Filing a Timely Response and</u> <u>Information Regarding the Hearing on the Objection</u>

<u>Contents</u>. To facilitate a speedy and non-judicial resolution of a Claim subject to the Objection, any claimant filing a Response shall, at a minimum, provide a statement as to whether the claimant has met applicable mitigation requirements, and the results, if any, of its mitigation efforts. Your Response should also include the name, address, telephone number and facsimile number of the party with authority to discuss mitigation issues on the claimant's behalf.

<u>Failure to File Your Timely Response</u>. If you fail to file and serve your Response on or before the Response Deadline in compliance with the procedures set forth in this Notice, the Liquidating Trust will present to the Bankruptcy Court an appropriate order granting the relief requested in the Objection without further notice to you.

<u>Each Objection Is a Contested Matter</u>. Each Claim subject to the Objection and the Response thereto shall constitute a separate contested matter as contemplated by Bankruptcy

Rule 9014, and any order entered by the Bankruptcy Court will be deemed a separate order with respect to such claim.

#### **Additional Information**

**Requests for Information**. You may also obtain a copy of the Objection or related documents on the internet, by accessing the website of www.kccllc.net/circuitcity.

**Reservation of Rights.** Nothing in this Notice or the Objection constitutes a waiver of the Debtors' and/or the Trust's right to assert any claims, counterclaims, rights of offset or recoupment, preference actions, fraudulent-transfer actions or any other claims against you by the Liquidating Trust. Unless the Bankruptcy Court allows your Claims or specifically orders otherwise, the Liquidating Trust has the right to object on any grounds to the Claims (or to any other Claims or causes of action you may have filed or that have been scheduled by the Debtors) at a later date on any grounds or bases. In such event, you will receive a separate notice of any such objections.

April 20, 2012 Dated:

#### /s/ Paula S. Beran

Lynn L. Tavenner (VA Bar No. 30083) Paula S. Beran (VA Bar No. 34679) TAVENNER & BERAN, PLC 20 North Eighth Street, 2nd Floor Richmond, Virginia 23219

Telephone: 804-783-8300 Facsimile: 804-783-0178

Email: <a href="mailto:ltavenner@tb-lawfirm.com">ltavenner@tb-lawfirm.com</a> pberan@tb-lawfirm.com

-and-

Jeffrey N. Pomerantz (admitted *pro hac vice*) Andrew W. Caine (admitted pro hac vice) PACHULSKI STANG ZIEHL & JONES LLP 10100 Santa Monica Blvd. 13th Floor

Los Angeles, California 90067-4100

Telephone: 805-123-4567 Facsimile: 310/201-0760

E-mail: jpomerantz@pszjlaw.com acaine@pszjlaw.com

Counsel for the Circuit City Stores, Inc. Liquidating Trust

Exhibit 1

Jeffrey N. Pomerantz, Esq.
Andrew W. Caine, Esq.
(admitted *pro hac vice*)
PACHULSKI STANG ZIEHL & JONES LLP
10100 Santa Monica Boulevard
Los Angeles, California 90067-4100

Telephone: (310) 277-6910 Telecopy: (310) 201-0760

- and –

Robert J. Feinstein, Esq.
(admitted *pro hac vice*)
PACHULSKI STANG ZIEHL & JONES LLP
780 Third Avenue, 36<sup>th</sup> Floor
New York, New York 10017
Telephone: (212) 561-7700
Telecopy: (212) 561-7777

Counsel to the Circuit City Stores, Inc. Liquidating Trust

Lynn L. Tavenner, Esq. (VA Bar No. 30083) Paula S. Beran, Esq. (VA Bar No. 34679) TAVENNER & BERAN, PLC 20 North Eighth Street, 2<sup>nd</sup> Floor Richmond, Virginia 23219 Telephone: (804) 783-8300 Telecopy: (804) 783-0178

Counsel to the Circuit City Stores, Inc. Liquidating Trust

#### IN THE UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF VIRGINIA RICHMOND DIVISION

	X	
In re:	:	Chapter 11
	:	
CIRCUIT CITY STORES, INC., et al.,	:	Case No. 08-35653 (KRH)
	:	
Debtors.	:	
	:	Jointly Administered
	Y	-

# LIQUIDATING TRUST'S THIRTY-NINTH OMNIBUS OBJECTION TO LANDLORD CLAIMS (REDUCTION OF CERTAIN INVALID CLAIMS-MITIGATION)

The Circuit City Stores, Inc. Liquidating Trust (the "Liquidating Trust"), through Alfred H. Siegel, the duly appointed trustee of the Trust (the "Trustee"), pursuant to the

Second Amended Joint Plan of Liquidation of Circuit City Stores, Inc. and its Affiliated Debtors and Debtors in Possession and its Official Committee of Creditors Holding General Unsecured Claims (the "Plan") in the above-captioned cases, hereby files this Thirty-Ninth Omnibus Objection to Landlord Claims (Reduction of Certain Partially Invalid Claims-Mitigation) (the "Objection"), and hereby moves this court (the "Court"), pursuant to sections 105, 502 and 503 of title 11 of the United States Code, 11 U.S.C. §§ 101 et seq. (as amended, the "Bankruptcy Code"), Rule 3007 of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules"), and Local Bankruptcy Rule 3007-1, for an order, the proposed form of which is attached hereto as Exhibit A, granting the relief sought by this Objection, and in support thereof states as follows:

#### **JURISDICTION AND VENUE**

1. This Court has jurisdiction to consider this Objection under 28 U.S.C. §§ 157 and 1334. This is a core proceeding under 28 U.S.C. § 157(b). Venue of these cases and this Objection in this district is proper under 28 U.S.C. §§ 1408 and 1409. The statutory and legal predicates for the relief requested herein are Bankruptcy Code sections 105, 502 and 503, Bankruptcy Rule 3007 and Local Bankruptcy Rule 3007-1.

#### **BACKGROUND**

2. On November 10, 2008 (the "Petition Date"), the debtors in the above-captioned cases (the "Debtors")<sup>1</sup> filed voluntary petitions in this Court for relief

<sup>&</sup>lt;sup>1</sup> The Debtors and the last four digits of their respective taxpayer identification numbers are as follows: Circuit City Stores, Inc. (3875), Circuit City Stores West Coast, Inc. (0785), InterTAN, Inc. (0875), Ventoux International, Inc. (1838), Circuit City Purchasing Company, LLC (5170), CC Aviation, LLC (0841), CC Distribution Company of Virginia, Inc. (2821), Circuit City Proper ties, LLC (3353), Kinzer Technology, LLC (2157), Abbott Advertising Agency, Inc. (4659), Patapsco Designs, Inc. (6796), Sky Venture Corp. (0311), PRAHS, Inc.(n/a), XSStuff, LLC (9263), Mayland MN, LLC (6116), Courchevel, LLC (n/a), Orbyx Electronics, LLC (3360), and Circuit City Stores PR, LLC (5512).

Case 08-35653-KRH Doc 11850 Filed 04/20/12 Entered 04/20/12 20:29:05 Desc Main Document Page 7 of 59

under chapter 11 of the Bankruptcy Code.

- 3. On November 12, 2008, the Office of the United States Trustee for the Eastern District of Virginia appointed a statutory committee of unsecured creditors (the "Creditors' Committee").
- 4. On November 12, 2008, the Court appointed Kurtzman Carson Consultants LLC ("KCC") as claims, noticing, and balloting agent for the Debtors in these chapter 11 cases pursuant to 28 U.S.C. § 156(c).
- 5. On December 10, 2008, the Court entered that certain Order Pursuant to Bankruptcy Code Sections 105 and 502 and Bankruptcy Rules 2002, 3003(c)(3), and 9007 (I) Setting General Bar Date and Procedures for Filing Proofs of Claim; and (II) Approving Form and Manner of Notice Thereof (Docket No. 890) (the "Claims Bar Date Order").
- 6. Pursuant to the Claims Bar Date Order, the deadline for filing all "claims" (as defined in 11 U.S.C. § 105(5)) arising before November 10, 2008 against the Debtors by any non-governmental entity was 5:00 p.m. (Pacific) on January 30, 2009 (the "General Bar Date"). The deadline for governmental units to file claims that arose before November 10, 2009 was 5:00 p.m. (Pacific) on May 11, 2009 (the "Governmental Bar Date"). Pursuant to the Claims Bar Date Order, this Court approved the form and manner of the claims bar date notice, which was attached as Exhibit A to the Claims Bar Date Order (the "Claims Bar Date Notice").
- 7. On December 17 and 19, 2008, KCC served a copy of the Claims
  Bar Date Notice on all parties who filed notices of appearance pursuant to Bankruptcy
  Rule 2002, all of the Debtors' scheduled creditors in these cases, the Debtors' equity

Case 08-35653-KRH Doc 11850 Filed 04/20/12 Entered 04/20/12 20:29:05 Desc Main Document Page 8 of 59

holders, and certain other parties (Docket No. 1314). In addition, the Debtors published the Claims Bar Date Notice in <u>The Wall Street Journal</u> (Docket No. 1395) and <u>The</u> Richmond Times-Dispatch (Docket No. 1394).

- 8. On November 12, 2008, this Court entered that certain Order Establishing Bar Date for Filing Requests for Payment of Administrative Expense Claims Under Bankruptcy Code Sections 105 and 503(b)(9) and Approving Form, Manner and Sufficiency of Notice of the Bar Date Pursuant to Bankruptcy Rule 9007 (Docket No. 107)(the "503(b)(9) Bar Date Order").
- 9. Pursuant to the 503(b)(9) Bar Date Order, this Court approved the form and manner of the 503(b)(9) bar date notice, which was attached as Exhibit A to the 503(b)(9) Bar Date Order (the "503(b)(9) Bar Date Notice"). Pursuant to the 503(b)(9) Bar Date Order and 503(b)(9) Bar Date Notice, the bar date for filing proofs of claim asserting administrative priority claims pursuant to section 503(b)(9) of the Bankruptcy Code was on December 19, 2008 (the "503(b)(9) Bar Date").
- Date Notice on the 2002 Service List, all of the Debtors' scheduled creditors in these cases, the Debtors' equity holders, and certain other parties (Docket No. 358). In addition, the Debtors published the 503(b)(9) Bar Date Notice in <u>The New York Times</u> (Docket No. 549), <u>The Wall Street Journal</u> (Docket No. 548), and <u>The Richmond Times-Dispatch</u> (Docket No. 547).
- 11. On January 16, 2009, the Court authorized the Debtors, among other things, to conduct going out of business sales at the Debtors' remaining 567 stores pursuant to an agency agreement (the "Agency Agreement") between the Debtors and a

Case 08-35653-KRH Doc 11850 Filed 04/20/12 Entered 04/20/12 20:29:05 Desc Main Document Page 9 of 59

joint venture, as agent (the "Agent"). On January 17, 2009, the Agent commenced going out of business sales pursuant to the Agency Agreement at the Debtors remaining stores. As of March 8, 2009, the going out of business sales at the Debtors' remaining stores had been completed.

- 12. On April 1, 2009, this Court entered an Order Establishing Omnibus
  Objection Procedures and Approving the Form and Manner of Notice of Omnibus
  Objections (Docket No. 2881) (the "Omnibus Objection Procedures Order").
- 13. On May 15, 2009, the Court entered that certain Order Pursuant to Bankruptcy Code Sections 105 and 503 and Bankruptcy Rules 2002 and 9007 (i) Setting Administrative Bar Date and Procedures For Filing and Objecting To Administrative Expense Request and (ii) Approving Form and Manner of Notice Thereof (Docket No. 3354) (the "First Administrative Claims Bar Date Order").
- 14. Pursuant to the First Administrative Claims Bar Date Order, the deadline for filing all Administrative Expense Requests (as defined in the First Administrative Claims Bar Date Order) incurred in the period between November 10, 2008 and April 30, 2009 was 5:00 p.m. (Pacific) on June 30, 2009. Pursuant to the First Administrative Claims Bar Date Order, this Court approved the form and manner of the claims bar date notice, which was attached as Exhibit A to the Administrative Claims Bar Date Order (the "Claims Bar Date Notice").
- 15. On or before May 22, 2009, KCC served a copy of the Administrative Claims Bar Date Notice on all parties who filed notices of appearance pursuant to Bankruptcy Rule 2002, all of the Debtors' scheduled creditors in these cases, the Debtors' equity holders, and certain other parties (Docket Nos. 3397 and 4609). In

Case 08-35653-KRH Doc 11850 Filed 04/20/12 Entered 04/20/12 20:29:05 Desc Main Document Page 10 of 59

addition, the Debtors published the Administrative Claims Bar Date Notice in <u>The Financial Times</u> (Docket No. 3970), <u>The Richmond Times-Dispatch</u> (Docket No. 3969) and The Wall Street Journal (Docket No. 3968).

- 16. On February 18, 2010, the Court entered that certain Order Pursuant to Bankruptcy Code Sections 105 and 503 and Bankruptcy Rules 2002 and 9007 (i) Setting Second Administrative Bar Date and Procedures For Filing and Objecting To Administrative Expense Request and (ii) Approving Form and Manner of Notice Thereof (Docket No. 6555) (the "Second Administrative Claims Bar Date Order").
- 17. Pursuant to the Second Administrative Claims Bar Date Order, the deadline for filing all Administrative Expense Requests for the period May 1, 2009 through December 31, 2009 (as defined in the Administrative Claims Bar Date Order) was 5:00 p.m. (Pacific) on March 31, 2010. Pursuant to the Second Administrative Claims Bar Date Order, this Court approved the form and manner of the claims bar date notice, which was attached as Exhibit A to the Second Administrative Claims Bar Date Order (the "Claims Bar Date Notice").
- Administrative Claims Bar Date Notice on all parties who filed notices of appearance pursuant to Bankruptcy Rule 2002, all of the Debtors' scheduled creditors in these cases, the Debtors' equity holders, and certain other parties (Docket No. 6705). Supplemental service of the Second Administrative Bar Date Notice was provided by overnight mail to one party, Brockton Superior Court, on March 26, 2010 (Docket Nos. 7089 and 7535). In addition, the Debtors published the Administrative Claims Bar Date Notice in The Financial Times (Docket No. 6719), The Richmond Times-Dispatch (Docket No. 6717)

and The Wall Street Journal (Docket No. 6718).

- 19. On August 9, 2010, the Debtors and the Creditors' Committee filed the Plan, which provides for the liquidation of the Debtors' assets and distribution of the proceeds thereof under chapter 11 of the Bankruptcy Code.
- 20. On September 10, 2010, the United States Bankruptcy Court, Eastern District of Virginia, signed an Order confirming the Plan.
- 21. The Plan became effective on November 1, 2010 (the "Effective Date"), and pursuant to the Plan and Liquidating Trust Agreement approved therewith, the Liquidation Trust assumed the right and responsibility to liquidate the Debtors' remaining assets and distribute the proceeds to creditors, including the prosecution of Causes of Action and objections to claims.

#### **OBJECTIONS TO CLAIMS**

- 22. By this Objection, the Liquidating Trust seeks entry of an order, in substantially the form attached hereto as <u>Exhibit A</u>, pursuant to Bankruptcy Code sections 105(a), 502 and 503, Bankruptcy Rule 3007 and Local Bankruptcy Rule 3007-1, (i) reducing or disallowing each of the claims identified on <u>Exhibit B</u> attached hereto (collectively, the "Claims") for the reasons set forth below.
- 23. For ease of reference, <u>Exhibit B</u> contains an alphabetical listing of all claimants whose Claims are included in this Objection (the "Claimants"), with a cross-reference by claim number.

#### A. Reduction of Certain Invalid Claims

24. The basis for reduction or disallowance of the claims listed on <u>Exhibit B</u> attached hereto (the "Invalid Claims") is that all of the Invalid Claims assert, in part, amounts for which the Debtors are not liable unless the claimant at issue has met its applicable mitigation burden. Moreover, to the extent that a claimant establishes that it has met its mitigation burden and that applicable mitigation occurred, the Objection seeks to reduce the Claim to the thereby established amount taking into account mitigation, 11 U.S.C. § 502(b)(6) and any additional objections asserted with respect to the Claim.

- 25. Accordingly, the Liquidating Trust requests that the Partially Invalid Claims identified on Exhibit B be reduced or disallowed in the manner stated in Exhibit B for the reasons stated therein.,
- 26. As set forth in the Notice accompanying this Objection, in order to facilitate a speedy and non-judicial resolution of a Claim subject to this Objection, any claimant filing a response shall, at a minimum, provide a statement as to whether the claimant has met applicable mitigation requirements, and the results, if any, of its mitigation efforts.

#### **RESERVATION OF RIGHTS**

27. At this time, the Liquidating Trust has not completed its review of the validity of all claims/expenses filed against the Debtors' estates, and reserves the right to further object to any and all claims, whether or not the subject of this Objection, for allowance and/or distribution purposes, and on any other grounds, including the right to modify, supplement and/or amend this Objection as it pertains to any of the Claims objected to herein.

#### **NOTICE AND PROCEDURE**

28. Notice of this Objection has been provided to all Claimants with Claims that are the subject to this Objection as identified on Exhibit B, and to parties-in-

Case 08-35653-KRH Doc 11850 Filed 04/20/12 Entered 04/20/12 20:29:05 Desc Main Document Page 13 of 59

Sections 102 and 105, Bankruptcy Rules 2002 and 9007, and Local Bankruptcy Rules 2002-1 and 9013-1 Establishing Certain Notice, Case Management and Administrative Procedures (entered on December 30, 2009 at Docket No. 6208) (the "Case Management Order"). The Liquidating Trust submits that the following methods of service upon the Claimants should be deemed by the Court to constitute due and sufficient service of this Objection: (a) service in accordance with Federal Rule of Bankruptcy Procedure 7004 and the applicable provisions of Federal Rule of Civil Procedure 4; (b) to the extent counsel for a Claimant is not known to the Liquidating Trust, by first class mail, postage prepaid, on the signatory of the Claimant's proof of claim form or other representative identified in the proof of claim form or any attachment thereto; or (c) by first class mail, postage prepaid, on any counsel that has appeared on the Claimant's behalf in the Debtors' bankruptcy cases. The Liquidating Trust is serving the Claimant with this Objection and the exhibit on which the Claimant's claim is listed.

29. To the extent any Claimant timely files and properly serves a response to this Objection by 4:00 P.M. (Eastern) on June 26, 2012 as required by the Case Management Order and under applicable law, and the parties are unable to otherwise resolve the Objection, the Liquidating Trust requests that the Court conduct a status conference<sup>2</sup> with respect to any such responding claimant at 2:00 P.M. (Eastern) on July 10, 2012 and thereafter schedule the matter for a future hearing as to the merits of such claim. However, to the extent any Claimant fails to timely file and properly serve a

response to this Objection as required by the Case Management Order and applicable law, the Liquidating Trust requests that the Court enter an order, substantially in the form attached hereto as <a href="Exhibit A">Exhibit A</a>, reducing or disallowing the Invalid Claims set forth on Exhibit B and attached hereto.

### COMPLIANCE WITH BANKRUPTCY RULE 3007 AND THE OMNIBUS OBJECTION PROCEDURES ORDER

30. This Objection complies with Bankruptcy Rule 3007(e).

Additionally, the Liquidating Trust submits that this Objection is filed in accordance with the Omnibus Objection Procedures Order.

#### WAIVER OF MEMORANDUM OF LAW

31. Pursuant to Local Bankruptcy Rule 9013-1(G), and because there are no novel issues of law presented in the Motion, the Liquidating Trust requests that the requirement that all motions be accompanied by a written memorandum of law be waived.

#### **NO PRIOR RELIEF**

32. No previous request for the relief sought herein has been made to this Court or any other court.

WHEREFORE, the Liquidating Trust respectfully requests that the Court enter an Order sustaining this Objection and granting such other and further relief as the Court deems appropriate.

<sup>(</sup>cont'd from previous page)

<sup>&</sup>lt;sup>2</sup> In accordance with the Omnibus Objection Procedures Order, Claimants who timely respond to the Objection do not need to appear at the status conference.

Dated: Richmond, Virginia April 20, 2012

#### TAVENNER & BERAN, PLC

#### /s/ Paula S. Beran\_

Lynn L. Tavenner (VA Bar No. 30083) Paula S. Beran (VA Bar No. 34679) 20 North Eighth Street, 2<sup>nd</sup> Floor Richmond, Virginia 23219 (804) 783-8300

- and -

PACHULSKI STANG ZIEHL & JONES LLP Jeffrey N. Pomerantz, Esq. Andrew W. Caine, Esq. 10100 Santa Monica Boulevard Los Angeles, California 90067-4100 (310) 277-6910

- and -

PACHULSKI STANG ZIEHL & JONES LLP Robert J. Feinstein, Esq. 780 Third Avenue, 36<sup>th</sup> Floor New York, New York 10017 (212) 561-7700

Counsel to the Circuit City Stores, Inc. Liquidating Trust

#### **EXHIBIT A**

Jeffrey N. Pomerantz, Esq. Andrew W. Caine, Esq. (admitted *pro hac vice*) PACHULSKI STANG ZIEHL & JONES LLP 10100 Santa Monica Boulevard

Los Angeles, California 90067-4100

Telephone: (310) 277-6910 Telecopy: (310) 201-0760

- and –

Robert J. Feinstein, Esq. (admitted *pro hac vice*) PACHULSKI STANG ZIEHL & JONES LLP 780 Third Avenue, 36<sup>th</sup> Floor New York, New York 10017 Telephone: (212) 561-7700

Counsel to the Liquidating Trustee

Telecopy: (212) 561-7777

Lynn L. Tavenner, Esq. (VA Bar No. 30083) Paula S. Beran, Esq. (VA Bar No. 34679) TAVENNER & BERAN, PLC 20 North Eighth Street, 2<sup>nd</sup> Floor Richmond, Virginia 23219 Telephone: (804) 783-8300

Telecopy: (804) 783-0178

#### IN THE UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF VIRGINIA RICHMOND DIVISION

	X	
In re:	:	Chapter 11
	:	
CIRCUIT CITY STORES, INC., et al.,	:	Case No. 08-35653 (KRH)
	:	
Debtors.	:	
	:	Jointly Administered
	X	•

ORDER REGARDING LIQUIDATING TRUST'S THIRTY-NINTH OMNIBUS OBJECTION TO LANDLORD CLAIMS (REDUCTION OF CERTAIN INVALID CLAIMS-MITIGATION)

Case 08-35653-KRH Doc 11850 Filed 04/20/12 Entered 04/20/12 20:29:05 Desc Main Document Page 17 of 59

THIS MATTER having come before the Court<sup>1</sup> on the Liquidating Trust's Thirty-Ninth Omnibus Objection to Landlord Claims (Reduction of Certain Invalid Claims-Mitigation), (the "Objection"), which requested, among other things, that the claims specifically identified on <a href="Exhibit B">Exhibit B</a> attached to the Objection be reduced or disallowed for those reasons set forth in the Objection; and it appearing that due and proper notice and service of the Objection as set forth therein was good and sufficient and that no other further notice or service of the Objection need be given; and it further appearing that no response was timely filed or properly served by the Claimants being affected by this Order; and it appearing that the relief requested on the Objection is in the best interest of the Liquidating Trust, the Debtors' estates and creditors and other parties-in-interest; and after due deliberation thereon good and sufficient cause exists for the granting of the relief as set forth herein,

#### IT IS HEREBY ORDERED ADJUDGED AND DECREED THAT:

- 1. The Objection is SUSTAINED.
- 2. The Claims identified on Exhibit A as attached hereto and incorporated herein are forever reduced and/or disallowed for all purposes in these bankruptcy cases in the manner stated in Exhibit A.
- 3. The Liquidating Trust's rights to object to any claim including (without limitation) the Claims subject to the Objection, on any grounds that applicable law permits, are not waived and are expressly reserved.
  - 4. The Liquidating Trust shall serve a copy of this Order on the

<sup>&</sup>lt;sup>1</sup> Capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Objection.

Case 08-35653-KRH Doc 11850 Filed 04/20/12 Entered 04/20/12 20:29:05 Desc Main Document Page 18 of 59

claimants included on the exhibits to this Order on or before five (5) business days from the entry of this Order.

5. This Court shall retain jurisdiction to hear and determine all matters arising from or relating to this Order.

Dated: Richmond, Virginia \_\_\_\_\_\_, 2012

HONORABLE KEVIN R. HUENNEKENS UNITED STATES BANKRUPTCY JUDGE WE ASK FOR THIS:

TAVENNER & BERAN, PLC

Lynn L. Tavenner (VA Bar No. 30083) Paula S. Beran (VA Bar No. 34679) 20 North Eighth Street, 2<sup>nd</sup> Floor Richmond, Virginia 23219 (804) 783-8300

- and -

PACHULSKI STANG ZIEHL & JONES LLP Jeffrey N. Pomerantz, Esq. Andrew W. Caine, Esq. 10100 Santa Monica Boulevard Los Angeles, California 90067-4100 (310) 277-6910

- and –

PACHULSKI STANG ZIEHL & JONES LLP Robert J. Feinstein, Esq. 780 Third Avenue, 36<sup>th</sup> Floor New York, New York 10017 (212) 561-7700

Counsel to the Circuit City Stores, Inc. Liquidating Trust

#### **CERTIFICATION OF ENDORSEMENT UNDER LOCAL RULE 9022-1(C)**

Pursuant to Local Bankruptcy Rule 9022-1(C), I hereby certify that the foregoing proposed order has been endorsed by or served upon all necessary parties.

/s/ Lynn L. Tavenner
Lynn L. Tavenner

In re Circuit City Stores, Inc, et al. Case No. 08-35653 (KRH) EXHIBIT B

#### REDUCTION OF CERTAIN INVALID CLAIMS

		BOOKS AND RECORDS CLAIMS TO BE	REDUCED		MODIFIED CLAIMS			
Date Filed	Claim Number	Name Address	Claim Amount	Debtor	Modified Claim Amount, Subject to Any Other Objections	Debtor	Comments	
7/24/2009	14515	1003 College Station LLC  Attn Michael Mason President c o Fairfield Finanical Group Inc Managing 8 Greenway Plz Ste 1100  Houston, TX 77046	Unliquidated, but not less than \$467,372.74 General Unsecured	CIRCUIT CITY STORES, INC.	\$57,334.87 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
1/27/2009	6334	1890 Ranch Ltd  c o Michael Deitch Law Offices of Michael Deitch 800 Rio Grande  Austin, TX 78701-0000	\$644,609.21 General Unsecured	CIRCUIT CITY STORES, INC.	\$0.00 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
4/30/2009	12708	4110 Midland LLC  Attn Michael Mason Pres Fairfield Financial Group Inc Managing Me 8 Greenway Plz Ste 1100  Houston, TX 77046	Unliquidated, but not less than \$657,287.99 General Unsecured	CIRCUIT CITY STORES, INC.	\$130,483.70 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
4/28/2009	12568	412 South Broadway Realty LLC  Robert Somma Esq Posternark Blankstein & Lund LLP Prudential Tower 800 Boylston St Boston, MA 02199	\$569,140.20 General Unsecured	CIRCUIT CITY STORES, INC.	\$0.00 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	

### Case 08-35653-KRH Doc 11850 Filed 04/20/12 Entered 04/20/12 20:29:05 Desc Main Document Page 21 of 59

		BOOKS AND RECORDS CLAIMS TO BE	REDUCED		MODIFIED CLAIMS			
Date Filed	Claim Number	Name Address	Claim Amount	Debtor	Modified Claim Amount, Subject to Any Other Objections	Debtor	Comments	
6/16/2009	13397	412 South Broadway Realty LLC c o The MEG Company 25 Orchard View Dr  Londonderry, NH 03053-3324	\$460,426.66 General Unsecured	CIRCUIT CITY STORES, INC.	\$11,866.66 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
4/30/2009	12710	4905 Waco LLC  Attn Michael Mason President c o Fairfield Financial Group Inc Managing 8 Greenway Plz Ste 1100  Houston, TX 77046	Unliquidated, but not less than \$738,355.64 General Unsecured	CIRCUIT CITY STORES, INC.	\$166,571.73 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
3/20/2009	11702	9121 East 71st Street Holdings LLC  c o Lawrence A Katz Kristen E Burgers  Venable LLP  8010 Towers Crescent Dr Ste 300  Vienna, VA 22182	\$419,015.96 General Unsecured	CIRCUIT CITY STORES, INC.	\$0.00 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
4/29/2009	12682	Abercorn Common LLLP  C O LNR PARTNERS LLC 1601 WASHINGTON AVE STE 700  MIAMI BEACH, FL 33139	\$1,448,786.93 General Unsecured	CIRCUIT CITY STORES, INC.	\$76,590.37 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	

## Case 08-35653-KRH Doc 11850 Filed 04/20/12 Entered 04/20/12 20:29:05 Desc Main Document Page 22 of 59

		BOOKS AND RECORDS CLAIMS TO B	SE REDUCED		MODIFIED CLAIMS			
Date Filed	Claim Number	Name Address	Claim Amount	Debtor	Modified Claim Amount, Subject to Any Other Objections	Debtor	Comments	
4/10/2009	12241	Abilene Ridgemont LLC  c o Douglas C Noble  McCraney Montagnet & Quin  602 Steed Rd Ste 200  Ridgeland, MS 39157	\$1,098,291.52 General Unsecured	CIRCUIT CITY STORES, INC.	\$89,632.43 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
9/8/2009	14599	Abiline Ridgemont LLC  Douglas C Noble Phelps Dunbar LLP PO Box 23066  Jackson, MS 39225	\$1,098,291.52 General Unsecured	CIRCUIT CITY STORES, INC.	\$89,632.43 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
1/29/2009	8570	ABRAMS WILLOWBROOK THREE LP  ATTN KEITH THERRIEN  CO INVESTAR REAL ESTATE SVCS  11111 KATY FREEWAY STE 535  HOUSTON, TX 77079	\$1,145,014.05 General Unsecured	CIRCUIT CITY STORES, INC.	\$80,949.37 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
4/30/2009	12789	Acadia Realty Limited Partnership fka Mark Centers Limited Partnership  Attn Daniel J Ansell  Greenberg Traurig LLp  200 Park Ave  New York, NY 10166	Unliquidated, but not less than \$1,043,019.04 General Unsecured	CIRCUIT CITY STORES, INC.	\$13,105.69 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	

## Case 08-35653-KRH Doc 11850 Filed 04/20/12 Entered 04/20/12 20:29:05 Desc Main Document Page 23 of 59

		BOOKS AND RECORDS CLAIMS TO B	E REDUCED		MODIFIED CLAIMS			
Date Filed	Claim Number	Name Address	Claim Amount	Debtor	Modified Claim Amount, Subject to Any Other Objections	Debtor	Comments	
4/30/2009	12702	ACD2  Thomas J Leanse Esq c o Katten Muchin Rosenman LLP 2029 Century Park E 26th FI  Los Angeles, CA 90067	\$1,113,434.47 General Unsecured	CIRCUIT CITY STORES WEST COAST, INC.	\$263,358.47 General Unsecured	CIRCUIT CITY STORES WEST COAST, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
4/20/2009	12238	Advance Real Estate Management LLC  1420 Techny Rd  Northbrook, IL 60062	\$861,728.23 General Unsecured	CIRCUIT CITY STORES, INC.	\$80,003.20 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
1/26/2009	5268	AGREE LIMITED PARTNERSHIP  C/O AGREE REALTY CORP 31850 NORTHWESTERN HWY  FARMINGTON HILLS, MI 48334-1628	\$668,822.75 General Unsecured	CIRCUIT CITY STORES, INC.	\$133,189.75 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
4/30/2009	12836	AIG BAKER DEPTFORD LLC  ATTN LEGAL DEPARTMENT NICK C WHITEHEAD ESQ 700 MONTGOMERY HWY STE 186  VESTAVIA, AL 35216-1868	\$1,180,695.43 General Unsecured	CIRCUIT CITY STORES, INC.	\$0.00 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	

Page 4

## Case 08-35653-KRH Doc 11850 Filed 04/20/12 Entered 04/20/12 20:29:05 Desc Main Document Page 24 of 59

		BOOKS AND RECORDS CLAIMS TO B	E REDUCED		MODIFIED CLAIMS			
Date Filed	Claim Number	Name Address	Claim Amount	Debtor	Modified Claim Amount, Subject to Any Other Objections	Debtor	Comments	
4/30/2009	12869	AIG BAKER HOOVER LLC  NICK C WHITEHEAD ESQ LEGAL DEPARTMENT 700 MONTGOMERY HWY STE 186  VESTAVIA, AL 35216-1868	\$1,419,714.00 General Unsecured	CIRCUIT CITY STORES, INC.	\$0.00 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
4/29/2009	12415	Alameda Associates  John Bedrosian 2934 1/2 Beverly Glen Cir No 419  Los Angeles, CA 90077	\$693,750.00 General Unsecured	CIRCUIT CITY STORES WEST COAST, INC.	\$0.00 General Unsecured	CIRCUIT CITY STORES WEST COAST, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
4/27/2009	12498	Alexander H Bobinski as Trustee under Trust No 1001 Alexander Bobinski 1351 N Courtenay Pkwy Ste AA Merritt Island, FL 32953	\$743,944.58 General Unsecured	CIRCUIT CITY STORES, INC.	\$97,772.81 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
4/30/2009	12695	Alexanders Rego Shopping Center Inc  Attn Mei Cheng c o Vornado Realty Trust 210 Rte 4 E  Paramus, NJ 07652	\$6,830,872.34 General Unsecured	CIRCUIT CITY STORES, INC.	\$47,393.24 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	

## Case 08-35653-KRH Doc 11850 Filed 04/20/12 Entered 04/20/12 20:29:05 Desc Main Document Page 25 of 59

		BOOKS AND RECORDS CLAIMS TO BE	REDUCED		MODIFIED CLAIMS			
Date Filed	Claim Number	Name Address	Claim Amount	Debtor	Modified Claim Amount, Subject to Any Other Objections	Debtor	Comments	
1/29/2009	8621	Alliance Rocky Mount LLC a North Carolina Limited Liability Company  Core Properties Inc  Attn James Donaldson  831 E Morehead St Ste 445  Charlotte, NC 28202	\$308,090.00 General Unsecured	CIRCUIT CITY STORES, INC.	\$16,034.68 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
4/21/2009	12314	Altamonte Springs Real Estate Associates LLC  c o Yale Realty Services Corp 10 New King St Ste 102  West Harrison, NY 10604-1208	\$596,367.46 General Unsecured	CIRCUIT CITY STORES, INC.	\$0.00 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
4/30/2009	12514	AmCap Arborland LLC  Robert W Dremluk Esq Seyfarth Shaw LLP 620 Eighth Ave  New York, NY 10018	\$1,121,494.29 General Unsecured	CIRCUIT CITY STORES, INC.	\$26,272.63 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
1/30/2009	9373	AmCap Northpoint LLC  Robert W Dremluk Esq Seyfarth Shaw LLP 620 Eighth Ave  New York, NY 10018	\$1,057,331.76 General Unsecured	CIRCUIT CITY STORES, INC.	\$21,800.65 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	

## Case 08-35653-KRH Doc 11850 Filed 04/20/12 Entered 04/20/12 20:29:05 Desc Main Document Page 26 of 59

		BOOKS AND RECORDS CLAIMS TO B	E REDUCED		MODIFIED CLAIMS			
Date Filed	Claim Number	Name Address	Claim Amount	Debtor	Modified Claim Amount, Subject to Any Other Objections	Debtor	Comments	
4/30/2009	12697	AMHERST VF LLC  ATTN MEI CHENG C O VORNADO REALTY TRUST 210 RTE 4 E  PARAMUS, NJ 07652	\$814,758.02 General Unsecured	CIRCUIT CITY STORES, INC.	\$32,505.20 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
6/29/2009	13875	AMMON PROPERTIES LC  2733 E PARLEYS WAY 300  1410 CRCT  SALT LAKE CITY, UT 84109-1662	\$302,914.56 General Unsecured	CIRCUIT CITY STORES WEST COAST, INC.	\$50,737.26 General Unsecured	CIRCUIT CITY STORES WEST COAST, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
3/25/2009	11937	Anna Schwartz Zoltan Schwartz Deborah Landman Eli Landman  Attn Mencahem O Zelmanovitz  Morgan Lewis & Bockius LLP  101 Park Ave  New York, NY 10178-0060	Unliquidated, but not less than \$809,398.56 General Unsecured	CIRCUIT CITY STORES, INC.	\$135,773.77 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
1/26/2009	5575	Argyle Forest Retail I LLC  c o Heather D Dawson Esq Kitchens Kelley Gaynes PC 3495 Piedmont Rd NE Bldg 11 Ste 900  Atlanta, GA 30305	\$605,322.50 General Unsecured	CIRCUIT CITY STORES, INC.	\$0.00 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	

## Case 08-35653-KRH Doc 11850 Filed 04/20/12 Entered 04/20/12 20:29:05 Desc Main Document Page 27 of 59

		BOOKS AND RECORDS CLAIMS TO BE	REDUCED		MODIFIED CLAIMS			
Date Filed	Claim Number	Name Address	Claim Amount	Debtor	Modified Claim Amount, Subject to Any Other Objections	Debtor	Comments	
4/30/2009	12801	Atlantic Center Fort Greene Associates LP  Attn Rachel M Harari Esq Forest City Ratner Companies LLC  1 Metrotech Center N  Brooklyn, NY 11201	Unliquidated, but not less than \$1,678,204.32 General Unsecured	CIRCUIT CITY STORES, INC.	\$173,665.62 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
1/29/2009	9506	Ave Forsyth LLC Cousins Store No 4252  Thomas J Leanse Esq c o Katten Muchin Rosenman LLP 2029 Century Pk E 26th Fl  Los Angeles, CA 90067	\$811,323.71 General Unsecured	CIRCUIT CITY STORES, INC.	\$105,868.11 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
4/30/2009	12675	Bainbridge Shopping Center II LLC  Matt McGill Proj Mgr  McGill Property Group  4425 MILITARY TRL STE 202  Jupiter, FL 33458-4817	\$998,138.61 General Unsecured	CIRCUIT CITY STORES, INC.	\$0.00 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
4/27/2009	12513	Baker Natick Promenade LLC  John C La Liberte Esq Sherin and Lodgen LLP 101 Federal St  Boston, MA 02110	\$1,997,705.93 General Unsecured	CIRCUIT CITY STORES, INC.	\$25,594.04 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	

## Case 08-35653-KRH Doc 11850 Filed 04/20/12 Entered 04/20/12 20:29:05 Desc Main Document Page 28 of 59

		BOOKS AND RECORDS CLAIMS TO BE	E REDUCED		MODIFIED CLAIMS			
Date Filed	Claim Number	Name Address	Claim Amount	Debtor	Modified Claim Amount, Subject to Any Other Objections	Debtor	Comments	
1/30/2009	9488	Bank of America NA as successor by merger to LaSalle Bank National Association as Trustee for the Registered Peyton Inge c o Capmark Finance Inc 700 N Pearl St Ste 2200	Unliquidated, but not less than \$514,620.00 General Unsecured	CIRCUIT CITY STORES, INC.	\$0.00 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
1/30/2009	9449	Bank of America NA as successors by merger to LaSalle Bank National Association as Trustee for the Registered Peyton Inge c o Capmark Finance Inc 700 N Pearl St Ste 2200  Dallas, TX 75201	Unliquidated, but not less than \$350,432.06 General Unsecured	CIRCUIT CITY STORES, INC.	\$0.00 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
3/23/2009	11929	Bank of America National Association as Successor by Merger to LaSalle Bank National Association as Trustee for the Registered Holders of CDC Commercial M c o Capmark Finance Inc Peyton Inge 700 N Pearl St Ste 2200 Dallas, TX 75201	\$1,097,798.93 General Unsecured	CIRCUIT CITY STORES, INC.	\$0.00 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
1/30/2009	9721	Bank of America National Association as successor by merger to LaSalle Bank National Association fka LaSalle National Peyton Inge c o Capmark Finance Inc 700 N Pearl St Ste 2200  Dallas, TX 75201	Unliquidated, but not less than \$256,520.40 General Unsecured	CIRCUIT CITY STORES, INC.	\$0.00 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	

## Case 08-35653-KRH Doc 11850 Filed 04/20/12 Entered 04/20/12 20:29:05 Desc Main Document Page 29 of 59

		BOOKS AND RECORDS CLAIMS TO BI	E REDUCED			MODIFIED C	LAIMS
Date Filed	Claim Number	Name Address	Claim Amount	Debtor	Modified Claim Amount, Subject to Any Other Objections	Debtor	Comments
1/30/2009	9734	Bank of America National Association as successor by merger to LaSalle Bank National Association fka LaSalle National Peyton Inge c o Capmark Finance Inc 700 N Pearl St Ste 2200  Dallas, TX 75201	Unliquidated, but not less than \$489,877.00 General Unsecured	CIRCUIT CITY STORES, INC.	\$0.00 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.
1/30/2009	9724	Bank of America National Association as successor by merger to LaSalle Bank National Association fka LaSalle National Peyton Inge c o Capmark Finance Inc 700 N Pearl St Ste 2200  Dallas, TX 75201	Unliquidated, but not less than \$457,440.00 General Unsecured	CIRCUIT CITY STORES, INC.	\$0.00 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.
3/17/2010	14859	Bank of America National Association as Successor by Merger to LaSalle Bank National Association fka LaSalle National c o Berkadia Commercial Mortgage LLC Geraldine Kohut 1 Park Plz Ste 1200	Unliquidated, but not less than \$1,097,798.93 General Unsecured	CIRCUIT CITY STORES, INC.	\$0.00 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.
1/30/2009	9051	Bank of America National Association As Sucsessor By Merger to LaSalle Bank National Association fka LaSalle National Peyton Inge c o Capmark Finance Inc 700 N Pearl St Ste 2200	Unliquidated, but not less than \$1,008,988.75 General Unsecured	CIRCUIT CITY STORES, INC.	\$0.00 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.

## Case 08-35653-KRH Doc 11850 Filed 04/20/12 Entered 04/20/12 20:29:05 Desc Main Document Page 30 of 59

		BOOKS AND RECORDS CLAIMS TO B	E REDUCED			MODIFIED C	LAIMS
Date Filed	Claim Number	Name Address	Claim Amount	Debtor	Modified Claim Amount, Subject to Any Other Objections	Debtor	Comments
4/30/2009	12663	Bank of America National Association Successor by Merger to LaSalle Bank National Association Attn Diane Schapiro c o Berkadia Commercial Mortgage LLC 700 N Pearl St Ste 2200  Dallas, TX 75201	\$1,316,782.37 General Unsecured	CIRCUIT CITY STORES, INC.	\$104,328.93 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.
1/30/2009	9740	Bank of America National Association Successor By Merger to LaSalle Bank National Association fka LaSalle National Peyton Inge c o Capmark Finance Inc 700 N Pearl St Ste 2200	Unliquidated, but not less than \$771,930.00 General Unsecured	CIRCUIT CITY STORES, INC.	\$0.00 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.
1/30/2009	9707	Bank of America National Association Successor By Merger to LaSalle Bank National Association fka LaSalle National Peyton Inge c o Capmark Finance Inc 700 N Pearl St Ste 2200  Dallas, TX 75201	Unliquidated, but not less than \$471,794.40 General Unsecured	CIRCUIT CITY STORES, INC.	\$0.00 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.
1/30/2009	9454	Bank of America National Association Successor By Merger to LaSalle Bank National Association fka LaSalle National Peyton Inge c o Capmark Finance Inc 700 N Pearl St Ste 2200	Unliquidated, but not less than \$1,268,443.06 General Unsecured	CIRCUIT CITY STORES, INC.	\$0.00 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.

### Case 08-35653-KRH Doc 11850 Filed 04/20/12 Entered 04/20/12 20:29:05 Desc Main Document Page 31 of 59

		BOOKS AND RECORDS CLAIMS TO BI	E REDUCED			MODIFIED C	LAIMS
Date Filed	Claim Number	Name Address	Claim Amount	Debtor	Modified Claim Amount, Subject to Any Other Objections	Debtor	Comments
1/30/2009	9704	Bank of America National Association Successor By Merger to LaSalle Bank National Association fka LaSalle National Peyton Inge c o Capmark Finance Inc 700 N Pearl St Ste 2200  Dallas, TX 75201	Unliquidated, but not less than \$968,160.44 General Unsecured	CIRCUIT CITY STORES, INC.	\$0.00 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.
1/30/2009	10028	Bank of America National Association Successor By Merger to LaSalle Bank National Association fka LaSalle National Peyton Inge c o Capmark Finance Inc 700 N Pearl St Ste 2200  Dallas, TX 75201	\$541,305.00 General Unsecured	CIRCUIT CITY STORES, INC.	\$0.00 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.
1/30/2009	10030	Bank of America National Association Successor By Merger to LaSalle Bank National Association fka LaSalle National Peyton Inge c o Capmark Finance Inc 700 N Pearl St Ste 2200 Dallas, TX 75201	Unliquidated, but not less than \$618,051.65 General Unsecured	CIRCUIT CITY STORES, INC.	\$0.00 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.
1/30/2009	9050	Bank of America National Association Successor By Merger to LaSalle Bank National Association fka LaSalle National Peyton Inge c o Capmark Finance Inc 700 N Pearl St Ste 2200  Dallas, TX 75201	Unliquidated, but not less than \$786,847.00 General Unsecured	CIRCUIT CITY STORES, INC.	\$0.00 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.

## Case 08-35653-KRH Doc 11850 Filed 04/20/12 Entered 04/20/12 20:29:05 Desc Main Document Page 32 of 59

		BOOKS AND RECORDS CLAIMS TO BE	REDUCED			MODIFIED C	LAIMS
Date Filed	Claim Number	Name Address	Claim Amount	Debtor	Modified Claim Amount, Subject to Any Other Objections	Debtor	Comments
1/30/2009	9916	Bank of America National Association Successor by Merger to LaSalle National Bank a Nationally Chartered Bank as c o Capmark Finance Inc Payton Inge 700 N Pearl St Ste 2200  Dallas, TX 75201	Unliquidated, but not less than \$476,499.96 General Unsecured	CIRCUIT CITY STORES, INC.	\$0.00 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.
4/30/2009	12692	Basile Limited Liability Company c o Midland Loan Services Inc a Delaware Corporation Midland Loan Services Inc c o JP Morgan Chase Lockbox 974754 PNC Bank Lockbox 14800 Frye Rd TX1 0006 Fort Worth, TX 76155	Unliquidated, but not less than \$531,250.00 General Unsecured	CIRCUIT CITY STORES, INC.	\$0.00 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.
1/30/2009	8678	Basser Kaufman 222 LLC  Attn James S Carr Esq Robert L LeHane E Kelley Drye & Warren LLP 101 Park Ave  New York, NY 10178	\$683,764.51 General Unsecured	CIRCUIT CITY STORES, INC.	\$5,000.00 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.
4/30/2009	12507	Basser Kaufman 312 LLC  Attn James S Carr Esq Robert L LeHane Esq Kelley Drye & Warren LLP 101 Park Ave New York, NY 10178	\$721,432.54 General Unsecured	CIRCUIT CITY STORES, INC.	\$27,448.18 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.

EXHIBIT B: Reduction of Certai Invalid Claims

Page 13

### Case 08-35653-KRH Doc 11850 Filed 04/20/12 Entered 04/20/12 20:29:05 Desc Main Document Page 33 of 59

		BOOKS AND RECORDS CLAIMS TO B	MODIFIED CLAIMS				
Date Filed	Claim Number	Name Address	Claim Amount	Debtor	Modified Claim Amount, Subject to Any Other Objections	Debtor	Comments
4/30/2009	12756	BB Fonds International 1 USA LP  Eric Horan Pheonix Property Co 5950 Sherry Ln Ste 320  Dallas, TX 75225	\$1,018,189.31 General Unsecured	CIRCUIT CITY STORES, INC.	\$0.00 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.
4/30/2009	12653	Bear Valley Road Partners LLC  Attn Brad Becker c o Becker Development Investments 12730 High Bluff Dr  San Diego, CA 92130	\$968,611.45 General Unsecured	CIRCUIT CITY STORES, INC.	\$38,442.14 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.
4/30/2009	12651	Bear Valley Road Partners LLC  Attn Brad Becker c o Becker Development Investments 12730 High Bluff Dr  San Diego, CA 92130	\$968,611.45 General Unsecured	CIRCUIT CITY STORES WEST COAST, INC.	\$38,442.14 General Unsecured	CIRCUIT CITY STORES WEST COAST, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.
4/30/2009	13013	BECKER TRUST LLC  50 S JONES BLVD STE 100	\$549,304.96 General Unsecured	CIRCUIT CITY STORES, INC.	\$0.00 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.
		LAS VEGAS, NV 89107					

## Case 08-35653-KRH Doc 11850 Filed 04/20/12 Entered 04/20/12 20:29:05 Desc Main Document Page 34 of 59

		BOOKS AND RECORDS CLAIMS TO BI	E REDUCED			MODIFIED C	LAIMS
Date Filed	Claim Number	Name Address	Claim Amount	Debtor	Modified Claim Amount, Subject to Any Other Objections	Debtor	Comments
6/30/2009	14259	Bedford Park Properties LLC  c o Ron L Estes  Center Management 300 Park St Ste 410  Birmingham, MI 48009	\$791,127.53 General Unsecured	CIRCUIT CITY STORES, INC.	\$43,666.67 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.
4/30/2009	12713	Bel Air Square LLC  c o Bert Bittourna Esq Inland US Management LLC Inland Real Estate Group 2901 Butterfield Rd 3rd Fl Oak Brook, IL 60523	Unliquidated, but not less than \$545,789.43 General Unsecured	CIRCUIT CITY STORES, INC.	\$12,220.80 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.
3/30/2009	12163	Benenson Columbus OH Trust  c o Niclas A Ferland Esq LeClairRyan A Professional Corporation 555 Long Wharf Dr 8th Fl  New Haven, CT 06511	\$983,297.83 General Unsecured	CIRCUIT CITY STORES, INC.	\$55,621.96 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.
2/12/2009	10814	Berkshire Management Corp Agent for Berkshire Hyannis LLC Premises Located at 624 640 Iyanough Road Barnstable MA c o David L Pollack Ballard Spahr Andrews & Ingersoll LLP 1735 Market St 51st FI	\$2,666,801.94 General Unsecured	CIRCUIT CITY STORES, INC.	\$0.00 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.

EXHIBIT B: Reduction of Certai Invalid Claims

Page 15

## Case 08-35653-KRH Doc 11850 Filed 04/20/12 Entered 04/20/12 20:29:05 Desc Main Document Page 35 of 59

		BOOKS AND RECORDS CLAIMS TO BE	REDUCED		MODIFIED CLAIMS			
Date Filed	Claim Number	Name Address	Claim Amount	Debtor	Modified Claim Amount, Subject to Any Other Objections	Debtor	Comments	
1/30/2009	8786	BEV CON I LLC  c o Vornado Realty Trust 210 Rte 4 E  Paramus, NJ 07652	Unliquidated, but not less than \$4,154,347.74 General Unsecured	CIRCUIT CITY STORES WEST COAST, INC.	\$0.00 General Unsecured	CIRCUIT CITY STORES WEST COAST, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
1/30/2009	9952	BFLO Waterford Associates LLC  Attn James S Carr Esq Robert L LeHane Esq Kelley Drye & Warren 101 Park Ave New York, NY 10178	\$2,393,924.69 General Unsecured	CIRCUIT CITY STORES, INC.	\$1,000.00 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
4/29/2009	12612	BL NTV I, LLC  C/O BROOKLINE DEVELOPMENT COMP 221 WALTON STREET SUITE 100 ATTN BETH ARNOLD SYRACUSE, NY 13202	\$707,402.98 General Unsecured	CIRCUIT CITY STORES, INC.	\$150,655.90 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
6/18/2009	13440	Bond Circuit I Delaware Business Trust  Attn James S Carr Esq Robert L LeHane Kelley Drye & Warren LLP 101 Park Ave New York, NY 10178	\$2,479,902.78 General Unsecured	CIRCUIT CITY STORES, INC.	\$88,857.50 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	

## Case 08-35653-KRH Doc 11850 Filed 04/20/12 Entered 04/20/12 20:29:05 Desc Main Document Page 36 of 59

		BOOKS AND RECORDS CLAIMS TO BE	REDUCED		MODIFIED CLAIMS			
Date Filed	Claim Number	Name Address	Claim Amount	Debtor	Modified Claim Amount, Subject to Any Other Objections	Debtor	Comments	
4/30/2009	12765	Bond Circuit IV Delaware Business Trust  Mark B Conlan Esq Gibbons PC One Gateway Ctr  Newark, NJ 07102-5310	Unliquidated, but not less than \$1,715,263.14 Admin Priority	CIRCUIT CITY STORES, INC.	\$339,524.53 Admin Priority	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
4/29/2010	15019	Bond Circuit IV Delaware Trust  Mark B Conlan Esq Gibbons PC One Gateway Ctr  Newark, NJ 07102-5310	Unliquidated, but not less than \$1,589,299.95 General Unsecured	CIRCUIT CITY STORES, INC.	\$213,561.34 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
6/18/2009	13426	Bond Circuit VI Delaware Business Trust  Attn James S Carr Esq & Robert L LeHane Kelley Drye & Warren LLP 101 Park Ave  New York, NY 10178	\$2,781,854.61 General Unsecured	CIRCUIT CITY STORES, INC.	\$63,143.45 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
4/27/2009	12517	BOYER LAKE POINTE LC  90 S 400 W STE 200 LAKE POINTE SHOPPING CENTER  SALT LAKE CITY, UT 84101	\$516,472.70 General Unsecured	CIRCUIT CITY STORES WEST COAST, INC.	\$0.00 General Unsecured	CIRCUIT CITY STORES WEST COAST, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	

## Case 08-35653-KRH Doc 11850 Filed 04/20/12 Entered 04/20/12 20:29:05 Desc Main Document Page 37 of 59

	BOOKS AND RECORDS CLAIMS TO BE	MODIFIED CLAIMS				
Claim Number	Name Address	Claim Amount	Debtor	Modified Claim Amount, Subject to Any Other Objections	Debtor	Comments
13077	BPP Redding LLC  John C La Liberte Esq Sherin and Lodgen LLP 101 Federal St  Boston, MA 02110	\$810,101.85 General Unsecured	CIRCUIT CITY STORES, INC.	\$69,029.22 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.
13075	BPP SC LLC  John C La Liberte Esq Sherin and Lodgen LLP 101 Federal St  Boston, MA 02110	\$761,237.66 General Unsecured	CIRCUIT CITY STORES, INC.	\$53,439.07 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.
13046	BPP WB LLC  John C La Liberte Esq Sherin and Lodgen LLP 101 Federal St  Boston, MA 02110	\$802,236.19 General Unsecured	CIRCUIT CITY STORES, INC.	\$52,156.00 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.
12168	Brandywine Grande C LP  c o Jefferies Leveraged Credit Products LL  One Station PI Three N	\$1,189,992.94 General Unsecured	CIRCUIT CITY STORES, INC.	\$25,883.22 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.
	13077 13075	Number  13077 BPP Redding LLC  John C La Liberte Esq Sherin and Lodgen LLP 101 Federal St  Boston, MA 02110  13075 BPP SC LLC  John C La Liberte Esq Sherin and Lodgen LLP 101 Federal St  Boston, MA 02110  13046 BPP WB LLC  John C La Liberte Esq Sherin and Lodgen LLP 101 Federal St  Boston, MA 02110  13046 BPP WB LLC  John C La Liberte Esq Sherin and Lodgen LLP 101 Federal St  Boston, MA 02110  12168 Brandywine Grande C LP  c o Jefferies Leveraged Credit Products LL	Number  13077 BPP Redding LLC  John C La Liberte Esq Sherin and Lodgen LLP 101 Federal St  Boston, MA 02110  13075 BPP SC LLC  John C La Liberte Esq Sherin and Lodgen LLP 101 Federal St  Boston, MA 02110  13046 BPP WB LLC  John C La Liberte Esq Sherin and Lodgen LLP 101 Federal St  Boston, MA 02110  13046 BPP WB LLC  John C La Liberte Esq Sherin and Lodgen LLP 101 Federal St  Boston, MA 02110  12168 Brandywine Grande C LP  c o Jefferies Leveraged Credit Products LL One Station PI Three N  \$810,101.85  General Unsecured  \$761,237.66  General Unsecured	Number  BPP Redding LLC  John C La Liberte Esq Sherin and Lodgen LLP 101 Federal St  Boston, MA 02110  13075  BPP SC LLC  John C La Liberte Esq Sherin and Lodgen LLP 101 Federal St  Boston, MA 02110  13046  BPP WB LLC  John C La Liberte Esq Sherin and Lodgen LLP 101 Federal St  Boston, MA 02110  13046  BPP WB LLC  John C La Liberte Esq Sherin and Lodgen LLP 101 Federal St  Boston, MA 02110  13046  BPP WB LLC  John C La Liberte Esq Sherin and Lodgen LLP 101 Federal St  Boston, MA 02110  12168  Brandywine Grande C LP  c o Jefferies Leveraged Credit Products LL One Station Pl Three N  CIRCUIT CITY STORES, INC.  CIRCUIT CITY STORES, INC.	Number    Number   Amount, Subject to Any Other Objections	Number    Separation   Separati

## Case 08-35653-KRH Doc 11850 Filed 04/20/12 Entered 04/20/12 20:29:05 Desc Main Document Page 38 of 59

		BOOKS AND RECORDS CLAIMS TO E	BE REDUCED			MODIFIED C	LAIMS
Date Filed	Claim Number	Name Address	Claim Amount	Debtor	Modified Claim Amount, Subject to Any Other Objections	Debtor	Comments
6/30/2009	13961	Breevast Reno Inc  Thomas J Leanse Esq c o Katten Muchin Rosenman LLP 2029 Centruy park E 26th FI  Los Angeles, CA 90067	\$958,235.04 General Unsecured	CIRCUIT CITY STORES WEST COAST, INC.	\$38,965.41 General Unsecured	CIRCUIT CITY STORES WEST COAST, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.
4/27/2009	12493	Brighton Commercial LLC  325 Ridgeview Dr  Palm Beach, FL 33480	\$1,014,364.97 General Unsecured	CIRCUIT CITY STORES, INC.	\$66,480.30 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.
2/2/2009	10534	Buckhead Triangle LP  c o Liquidity Solutions Inc One University PIz Ste 312  Hackensack, NJ 07601	\$653,194.62 General Unsecured	CIRCUIT CITY STORES, INC.	\$31,494.06 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.
1/29/2009	7888	BY PASS DEVELOPMENT CO LLC  10689 N PENNSYLVANIA ST  INDIANAPOLIS, IN 46280	\$146,569.86 General Unsecured	CIRCUIT CITY STORES, INC.	\$0.00 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.

## Case 08-35653-KRH Doc 11850 Filed 04/20/12 Entered 04/20/12 20:29:05 Desc Main Document Page 39 of 59

		BOOKS AND RECORDS CLAIMS TO BE	REDUCED		MODIFIED CLAIMS			
Date Filed	Claim Number	Name Address	Claim Amount	Debtor	Modified Claim Amount, Subject to Any Other Objections	Debtor	Comments	
1/21/2009	5060	C1 West Mason Street LLC  c o Mindy A Mora Bilzin Sumberg Baena Price & Axelrod LLP 200 S Biscayne Blvd Ste 2500  Miami, FL 33131	\$959,382.47 General Unsecured	CIRCUIT CITY STORES, INC.	\$43,150.00 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
1/26/2009	5814	Cameron Bayonne LLC  Attn Kevin M Newman Esq Menter Rudin & Trivelpiece Esq 308 Maltbie St Ste 200  Syracuse, NY 13204-1498	Unliquidated, but not less than \$674,889.20 General Unsecured	CIRCUIT CITY STORES, INC.	\$0.00 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
3/17/2009	11893	CAP Brunswick LLC  F Marion Hughes & M Kevin McCarrell Smith Moore Leatherwood LLP PO Box 87  Greenville, SC 29602-0087	\$450,638.98 General Unsecured	CIRCUIT CITY STORES, INC.	\$0.00 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
4/30/2009	12743	CAPITAL CENTRE LLC  C O BERT BITTOURNA ESQ INLAND REAL ESTATE GROUP 2901 BUTTERFIELD RRD 3RD FL  OAK BROOK, IL 60523	Unliquidated, but not less than \$1,334,114.62 General Unsecured	CIRCUIT CITY STORES, INC.	\$0.00 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	

## Case 08-35653-KRH Doc 11850 Filed 04/20/12 Entered 04/20/12 20:29:05 Desc Main Document Page 40 of 59

		BOOKS AND RECORDS CLAIMS TO BI	E REDUCED		MODIFIED CLAIMS			
Date Filed	Claim Number	Name Address	Claim Amount	Debtor	Modified Claim Amount, Subject to Any Other Objections	Debtor	Comments	
3/30/2009	12169	Cardinal Capital Partners Inc & 680 S Lemon Ave Co LLC c o Niclas A Ferland Esq LeClairRyan A Professional Corporation 545 Long Wharf Dr 9th Fl New Haven, CT 06511	\$5,049,313.62 General Unsecured	CIRCUIT CITY STORES, INC.	\$2,850,597.28 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
1/29/2009	7730	Carlyle Cypress Tuscaloosa I LLC  Cypress c o Lyndel Anne Mason Cavazos Hendricks Poirot & Smitham PC 900 Jackson St Ste 570  Dallas, TX 75202	\$726,977.94 General Unsecured	CIRCUIT CITY STORES, INC.	\$56,385.06 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
4/30/2009	12915	Carolina Pavilion Company  c o Amy Pritchard Williams Esq K&L Gates LLP 214 N Tryon St Hearst Tower 47th FI Charlotte, NC 28202	\$698,676.25 General Unsecured	CIRCUIT CITY STORES, INC.	\$51,454.17 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
4/16/2009	12294	Carousel Center Company LP  Attn Kevin M Newman Esq Menter Rudin & Trivelpiece PC 308 Maltbie St Ste 200  Syracuse, NY 13204-1498	\$921,634.54 General Unsecured	CIRCUIT CITY STORES, INC.	\$0.00 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	

# Case 08-35653-KRH Doc 11850 Filed 04/20/12 Entered 04/20/12 20:29:05 Desc Main Document Page 41 of 59

		BOOKS AND RECORDS CLAIMS TO B	E REDUCED		MODIFIED CLAIMS			
Date Filed	Claim Number	Name Address	Claim Amount	Debtor	Modified Claim Amount, Subject to Any Other Objections	Debtor	Comments	
1/28/2009	6579	Carriage Crossing Market Place LLC  Eric T Ray  Balch & Bingham LLP  PO Box 306  Birmingham, AL 35201	\$705,970.55 General Unsecured	CIRCUIT CITY STORES, INC.	\$0.00 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
1/29/2009	7933	Catellus Operating Limited Partnership a Delaware Limited Partnership  Catellus Operating Limited Partnership  Attn Greg Moore 66 Franklin St Ste 200  Oakland, CA 94607	\$1,903,434.65 General Unsecured	CIRCUIT CITY STORES, INC.	\$122,329.55 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
1/29/2009	7957	Catellus Operating Limited Partnership a Delaware Limited Partnership  Catellus Operating Limited Partnership Attn Greg Moore 66 Franklin St Ste 200  Oakland, CA 94607	\$1,903,434.65 General Unsecured	CIRCUIT CITY STORES WEST COAST, INC.	\$122,329.55 General Unsecured	CIRCUIT CITY STORES WEST COAST, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
4/22/2009	12328	Catellus Operating Limited Partnership a Delaware LP  ProLogis Attn Elizabeth Bouton Property Manager 841 Apollo St Ste 350  El Segundo, CA 90245	\$5,149,326.69 General Unsecured	CIRCUIT CITY STORES, INC.	\$2,082,350.23 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	

## Case 08-35653-KRH Doc 11850 Filed 04/20/12 Entered 04/20/12 20:29:05 Desc Main Document Page 42 of 59

		BOOKS AND RECORDS CLAIMS TO BE	REDUCED		MODIFIED CLAIMS			
Date Filed	Claim Number	Name Address	Claim Amount	Debtor	Modified Claim Amount, Subject to Any Other Objections	Debtor	Comments	
4/30/2009	12706	CC 223 Andover Park East Tukwila LLC  Attn David J LaSota c o Chapman and Cutler LLP 111 W Monroe St  Chicago, IL 60603	Unliquidated, but not less than \$1,348,168.55 General Unsecured	CIRCUIT CITY STORES, INC.	\$174,079.31 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
7/23/2009	14522	CC Acquisitions LP  Attn Vivian Dubin Associate General Coun c o NYLIFE Real Estate Holdings LLC Gen 51 Madison Ave  New York, NY 10010	Unliquidated, but not less than \$826,028.91 General Unsecured	CIRCUIT CITY STORES, INC.	\$144,845.06 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
7/23/2009	14518	CC Acquisitions LP  Attn Vivian Dubin Associate General Coun c o NYLIFE Real Estate Holdings LLC Gen 51 Madison Ave  New York, NY 10010	Unliquidated, but not less than \$933,748.17 General Unsecured	CIRCUIT CITY STORES, INC.	\$434,699.24 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
4/30/2009	12721	CC Acquisitions LP  Attn Vivian Dubin c o NYLIFE Real Estate Holdings LLC Gen 51 Madison Ave  New York, NY 10010	Unliquidated, but not less than \$721,052.70 General Unsecured	CIRCUIT CITY STORES, INC.	\$139,073.04 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	

EXHIBIT B: Reduction of Certai Invalid Claims

# Case 08-35653-KRH Doc 11850 Filed 04/20/12 Entered 04/20/12 20:29:05 Desc Main Document Page 43 of 59

		BOOKS AND RECORDS CLAIMS TO BE	REDUCED		MODIFIED CLAIMS			
Date Filed	Claim Number	Name Address	Claim Amount	Debtor	Modified Claim Amount, Subject to Any Other Objections	Debtor	Comments	
4/30/2009	12718	CC Acquisitions LP  Attn Vivian Dubin c o NYLIFE Real Estate Holdings LLC Gen 51 Madison Ave  New York, NY 10010	Unliquidated, but not less than \$620,334.88 General Unsecured	CIRCUIT CITY STORES, INC.	\$114,211.96 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
4/30/2009	12722	CC Acquisitions LP  Attn Vivian Dubin c o NYLIFE Real Estate Holdings LLC Gen 51 Madison Ave  New York, NY 10010	Unliquidated, but not less than \$804,474.43 General Unsecured	CIRCUIT CITY STORES, INC.	\$162,476.76 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
7/23/2009	14521	CC Acquisitions LP  Attn Vivian Dubin Associate General Coun c o NYLIFE Real Estate Holdings LLC Gen 51 Madison Ave  New York, NY 10010	Unliquidated, but not less than \$715,734.85 General Unsecured	CIRCUIT CITY STORES, INC.	\$148,496.53 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
7/23/2009	14523	CC Acquisitions LP  Attn Vivian Dubin c o NYLIFE Real Estate Holdings LLC Gen 51 Madison Ave  New York, NY 10010	Unliquidated, but not less than \$831,584.68 General Unsecured	CIRCUIT CITY STORES, INC.	\$186,296.74 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	

# Case 08-35653-KRH Doc 11850 Filed 04/20/12 Entered 04/20/12 20:29:05 Desc Main Document Page 44 of 59

		BOOKS AND RECORDS CLAIMS TO BE	REDUCED		MODIFIED CLAIMS			
Date Filed	Claim Number	Name Address	Claim Amount	Debtor	Modified Claim Amount, Subject to Any Other Objections	Debtor	Comments	
9/2/2009	14574	CC Acquisitions LP  Attn Vivian Dubin c o NYLIFE Real Estate Holdings LLC Gen 51 Madison Ave  New York, NY 10010	Unliquidated, but not less than \$831,584.68 General Unsecured	CIRCUIT CITY STORES, INC.	\$186,296.74 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
9/2/2009	14577	CC Acquisitions LP  Attn Deborah J Piazza Esq c o Hodgson Russ LLP 60 E 42nd St 37th FI  New York, NY 10165	Unliquidated, but not less than \$831,584.68 General Unsecured	CIRCUIT CITY STORES, INC.	\$186,296.74 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
4/30/2009	12725	CC Acquisitions LP  Attn Vivian Dubin c o NYLIFE Real Estate Holdings LLC Gen 51 Madison Ave  New York, NY 10010	Unliquidated, but not less than \$974,171.44 General Unsecured	CIRCUIT CITY STORES, INC.	\$235,871.82 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
3/17/2009	11591	CC BRANDYWINE INVESTORS 1998 LLC c o CAPITAL DEVELOPMENT COMPANY 3709 GRIFFIN LN SE OLYMPIA, WA 98501-2192	\$2,177,891.60 General Unsecured	CIRCUIT CITY STORES, INC.	\$123,907.25 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	

EXHIBIT B: Reduction of Certai Invalid Claims

Page 25

# Case 08-35653-KRH Doc 11850 Filed 04/20/12 Entered 04/20/12 20:29:05 Desc Main Document Page 45 of 59

		BOOKS AND RECORDS CLAIMS TO BE	REDUCED		MODIFIED CLAIMS			
Date Filed	Claim Number	Name Address	Claim Amount	Debtor	Modified Claim Amount, Subject to Any Other Objections	Debtor	Comments	
1/28/2009	6909	CC COLONIAL TRUST  STUART GROSS C O PARAGON AFFILIATES INC ONE PARAGON DR STE 145  MONTVALE, NJ 7645	Unliquidated, but not less than \$341,010.63 General Unsecured	CIRCUIT CITY STORES, INC.	\$39,442.88 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
7/29/2009	14528	CC Frederick 98 LLC  Attn Simon Marciano Esq Neuberger Quinn Gielen Rubin & Gibber P One South St 27th Fl  Baltimore, MD 21202	\$757,172.28 General Unsecured	CIRCUIT CITY STORES, INC.	\$0.00 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
4/30/2009	12818	CC Hamburg NY Partners LLC  Mark B Conlan Esq Gibbons PC 1 Gateway Ctr  Newark, NJ 07102-5310	\$358,613.44 General Unsecured	CIRCUIT CITY STORES, INC.	\$26,113.62 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
1/30/2009	9413	CC Independence LLC  Attn Eric J Rietz Esq c/o Priscilla Rietz 1355 Lemond Road  Owatonna, MN 55060	\$598,308.14 General Unsecured	CIRCUIT CITY STORES, INC.	\$106,466.14 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	

# Case 08-35653-KRH Doc 11850 Filed 04/20/12 Entered 04/20/12 20:29:05 Desc Main Document Page 46 of 59

		BOOKS AND RECORDS CLAIMS TO BE	REDUCED		MODIFIED CLAIMS			
Date Filed	Claim Number	Name Address	Claim Amount	Debtor	Modified Claim Amount, Subject to Any Other Objections	Debtor	Comments	
12/17/2008	1665	CC Investors 1995 3  Ronald G Cameron Administrative Trustee 1004 Commercial Ave No 353  Anacortes, WA 98221	\$387,758.80 General Unsecured	CIRCUIT CITY STORES, INC.	\$0.00 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
3/30/2009	11985	CC Investors 1996 12  Rick Donald CB Richard Ellis Boulos Property Manage One Canal Plz Ste 500  Portland, ME 04112	\$688,609.09 General Unsecured	CIRCUIT CITY STORES, INC.	\$10,993.54 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
2/24/2009	11572	CC Investors 1996 14  Kamin Realty Company 490 S Highland Ave  Pittsburgh, PA 15206	\$863,858.59 General Unsecured	CIRCUIT CITY STORES, INC.	\$86,980.39 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
1/28/2009	7162	CC Investors 1996 17  c o Niclas A Ferland Esq LeClairRyan A Professional Corporation 555 Long Wharf Dr 8th FI  New Haven, CT 06511	\$1,545,260.62 General Unsecured	CIRCUIT CITY STORES, INC.	\$266,075.06 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	

EXHIBIT B: Reduction of Certai Invalid Claims

## Case 08-35653-KRH Doc 11850 Filed 04/20/12 Entered 04/20/12 20:29:05 Desc Main Document Page 47 of 59

		BOOKS AND RECORDS CLAIMS TO E	BE REDUCED		MODIFIED CLAIMS			
Date Filed	Claim Number	Name Address	Claim Amount	Debtor	Modified Claim Amount, Subject to Any Other Objections	Debtor	Comments	
3/13/2009	11829	CC Investors 1996 9  Kamin Realty Company 490 S Highland Ave  Pittsburgh, PA 15206	\$1,154,776.86 General Unsecured	CIRCUIT CITY STORES, INC.	\$93,106.97 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
1/30/2009	9955	CC Investors 1997 11  Attn James S Carr Esq Robert L LeHane Esq Kelley Drye & Warren 101 Park Ave New York, NY 10178	\$454,643.99 General Unsecured	CIRCUIT CITY STORES, INC.	\$0.00 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
4/30/2009	12712	CC Investors Trust 1995 1  Attn Arina Meeuwsen 5500 Interstate N Pkwy Ste 600  Atlanta, GA 30328	Unliquidated, but not less than \$644,731.85 General Unsecured	CIRCUIT CITY STORES, INC.	\$102,767.82 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
1/28/2009	7532	CC Joliet Trust c o Paragon Affiliates Inc 1 Paragon Dr Ste No 145	\$399,876.03 General Unsecured	CIRCUIT CITY STORES, INC.	\$60,045.73 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
		Montvale, NJ 07645						

## Case 08-35653-KRH Doc 11850 Filed 04/20/12 Entered 04/20/12 20:29:05 Desc Main Document Page 48 of 59

		BOOKS AND RECORDS CLAIMS TO BE	REDUCED		MODIFIED CLAIMS			
Date Filed	Claim Number	Name Address	Claim Amount	Debtor	Modified Claim Amount, Subject to Any Other Objections	Debtor	Comments	
4/3/2009	12063	CC La Quinta LLC  Jess R Bressi Esq Luce Forward Hamilton & Scripps LLP 2050 Main St Ste 600  Irvine, CA 92614	\$1,172,707.52 General Unsecured	CIRCUIT CITY STORES, INC.	\$51,372.82 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
1/30/2009	9407	CC Lafayette LLC  Attn Eric J Rietz Esq c/o Priscilla Rietz 1355 Lemond Road  Owatonna, MN 55060	\$464,199.33 General Unsecured	CIRCUIT CITY STORES, INC.	\$31,369.86 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
1/30/2009	9416	CC Madison PJR LLC CC Madison EJR LLC CC Madison TFR LLC & CC Madison JLR LLC Attn Eric J Rietz Esq c/o Priscilla Rietz 1355 Lemond Road Owatonna, MN 55060	\$748,715.58 General Unsecured	CIRCUIT CITY STORES, INC.	\$60,115.58 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
1/30/2009	9424	CC Minnetonka LLC  Attn Eric J Rietz Esq c/o Priscilla Rietz 1355 Lemond Road  Owatonna, MN 55060	\$724,567.87 General Unsecured	CIRCUIT CITY STORES, INC.	\$16,279.87 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	

EXHIBIT B: Reduction of Certai Invalid Claims

# Case 08-35653-KRH Doc 11850 Filed 04/20/12 Entered 04/20/12 20:29:05 Desc Main Document Page 49 of 59

		BOOKS AND RECORDS CLAIMS TO	BE REDUCED		MODIFIED CLAIMS			
Date Filed	Claim Number	Name Address	Claim Amount	Debtor	Modified Claim Amount, Subject to Any Other Objections	Debtor	Comments	
4/29/2009	12413	CC Plaza Joint Venture LLP  Ann Hartman Welsh Companies LLC 4350 Baker Rd Ste 400  Minnetonka, MN 55343-8695	\$787,046.02 General Unsecured	CIRCUIT CITY STORES, INC.	\$14,999.86 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
1/30/2009	9417	CC Roseville LLC  Attn Eric J Rietz Jr c/o Priscilla Rietz 1355 Lemond Road  Owatonna, MN 55060	\$554,160.72 General Unsecured	CIRCUIT CITY STORES, INC.	\$11,000.09 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
4/22/2009	12333	CC Springs LLC a Colorado Limited Liability Company  Michael C Bullock Bullock Partners 5675 DTC Blvd Ste 110  Greenwood Village, CO 80110	\$562,886.75 General Unsecured	CIRCUIT CITY STORES WEST COAST, INC.	\$74,141.92 General Unsecured	CIRCUIT CITY STORES WEST COAST, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
4/17/2009	12233	CCDC Marion Portfolio LP  Attn Michael S Held Hunton & Williams LLP 1445 Ross Ave Ste 3700  Dallas, TX 75202-2755	\$3,087,099.45 General Unsecured	CIRCUIT CITY STORES, INC.	\$106,220.85 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	

## Case 08-35653-KRH Doc 11850 Filed 04/20/12 Entered 04/20/12 20:29:05 Desc Main Document Page 50 of 59

		BOOKS AND RECORDS CLAIMS TO BE	REDUCED		MODIFIED CLAIMS			
Date Filed	Claim Number	Name Address	Claim Amount	Debtor	Modified Claim Amount, Subject to Any Other Objections	Debtor	Comments	
5/11/2009	12937	CCMS 2005 CD1 Hale Road LLC  c o Mindy A Mora  Bilzin Sumberg Baena Price & Axelrod LLP 200 S Biscayne Blvd Ste 2500  Miami, FL 33131	\$1,127,448.78 General Unsecured	CIRCUIT CITY STORES, INC.	\$67,545.83 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
1/28/2009	7165	CCMS 2005 CD1 Lycoming Mall Circle Limited Partnership c o Mindy A Mora Esq Bilzin Sumberg Baena Price & Alexrod LLP 200 S Biscyane Blvd Ste 2500 Miami, FL 33131	\$560,167.08 General Unsecured	CIRCUIT CITY STORES, INC.	\$64,538.58 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
4/30/2009	12787	CEDAR DEVELOPMENT LTD  2200 BUTTS RD STE 300  BOCA RATON, FL 33431	\$1,057,077.87 General Unsecured	CIRCUIT CITY STORES, INC.	\$126,606.68 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
4/30/2009	12541	Cencor Realty Services Inc Agent for SWQ 35 Forum LTD Located in San Antonio TX c o David L Pollack Esq Ballard Sparh Andrews & Ingersoll LLP 1735 Market St 51st FI Philadelphia, PA 19103	\$564,678.58 General Unsecured	CIRCUIT CITY STORES, INC.	\$18,966.71 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	

## Case 08-35653-KRH Doc 11850 Filed 04/20/12 Entered 04/20/12 20:29:05 Desc Main Document Page 51 of 59

		BOOKS AND RECORDS CLAIMS TO BE	E REDUCED		MODIFIED CLAIMS			
Date Filed	Claim Number	Name Address	Claim Amount	Debtor	Modified Claim Amount, Subject to Any Other Objections	Debtor	Comments	
4/6/2009	12116	CENTRAL INVESTMENTS, LLC  c o MARK ORDOWER  333 S DESPLAINES NO 207  CHICAGO, IL 60661	\$624,199.41 General Unsecured	CIRCUIT CITY STORES, INC.	\$0.00 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
3/30/2009	11962	Central Park 1226 LLC  Attn Neil E Herman c o Morgan Lewis & Bockius LLP 101 Park Ave  New York, NY 10178	\$866,208.92 General Unsecured	CIRCUIT CITY STORES, INC.	\$26,819.87 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
4/30/2009	12677	Centro Properties Group t a Coastal Way Brooksville FL c o David L Pollack Ballard Spahr Andrews & Ingersoll LLP 1735 Market St 51st Fl Philadelphia, PA 19103	\$614,698.18 General Unsecured	CIRCUIT CITY STORES, INC.	\$5,684.97 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
1/29/2009	8096	Centro Properties Group t a Commons at Chancellor Charlotte NC c o David L Pollack Ballard Spahr Andrews & Ingersoll LLP 1735 Market St 51st FI Philadelphia, PA 19103	\$595,694.89 General Unsecured	CIRCUIT CITY STORES, INC.	\$37,812.77 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	

## Case 08-35653-KRH Doc 11850 Filed 04/20/12 Entered 04/20/12 20:29:05 Desc Main Document Page 52 of 59

		BOOKS AND RECORDS CLAIMS TO B	E REDUCED		MODIFIED CLAIMS			
Date Filed	Claim Number	Name Address	Claim Amount	Debtor	Modified Claim Amount, Subject to Any Other Objections	Debtor	Comments	
1/29/2009	8487	Centro Properties Group t a Northridge Plaza Milwaukee WI c o David L Pollack Ballard Spahr Andrews & Ingersoll LLP 1735 Market St 51st FI Philadelphia, PA 19103	\$637,011.28 General Unsecured	CIRCUIT CITY STORES, INC.	\$11,163.69 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
4/30/2009	12625	Centro Properties Group t a Pensacola Square Pensacola FL c o David L Pollack Ballard Spahr Andrews & Ingersoll LLP 1735 Market St 51st Fl Philadelphia, PA 19103	\$490,718.28 General Unsecured	CIRCUIT CITY STORES, INC.	\$71,403.11 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
1/29/2009	8488	Centro Properties Group t a Sharpstown Plaza Houston TX c o David L Pollack Ballard Spahr Andrews & Ingersoll LLP 1735 Market St 51st Fl Philadelphia, PA 19103	\$646,816.60 General Unsecured	CIRCUIT CITY STORES, INC.	\$76,148.63 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
4/30/2009	12678	Centro Properties Group t a Sun Plaza Walton Beach FL  c o David L Pollack Ballard Spahr Andrews & Ingersoll LLP 1735 Market St 51st Fl  Philadelphia, PA 19103	\$166,882.82 General Unsecured	CIRCUIT CITY STORES, INC.	\$20,701.57 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	

## Case 08-35653-KRH Doc 11850 Filed 04/20/12 Entered 04/20/12 20:29:05 Desc Main Document Page 53 of 59

		BOOKS AND RECORDS CLAIMS TO BE	E REDUCED			MODIFIED C	LAIMS
Date Filed	Claim Number	Name Address	Claim Amount	Debtor	Modified Claim Amount, Subject to Any Other Objections	Debtor	Comments
1/29/2009	8490	Centro Properties Group t a Venture Point Duluth GA  c o David L Pollack Ballard Spahr Andrews & Ingersoll LLP 1735 Market St 51st FI Philadelphia, PA 19103	\$765,925.81 General Unsecured	CIRCUIT CITY STORES, INC.	\$70,985.35 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.
4/30/2009	12555	Centro Properties Group ta Bakersfield Commons Bakersfield CA c o David L Pollack Esq Ballard Spahr Andrews & Ingersoll LLP 1735 Market St 51st FI Philadelphia, PA 19103	\$571,515.09 General Unsecured	CIRCUIT CITY STORES, INC.	\$52,621.50 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.
4/30/2009	12616	Centro Properties Group ta Baybrook Gateway Webster TX  c o David L Pollack Ballard Spahr Andrews & Ingersoll LLP 1735 Market St 51st FI Philadelphia, PA 19103	\$859,130.63 General Unsecured	CIRCUIT CITY STORES, INC.	\$31,592.80 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.
4/30/2009	12538	Centro Properties Group ta Chamberlain Plaza Meriden CT c o David L Pollack Ballard Spahr Andrews & Ingersoll LLP 1735 Market St 51st FI Philadelphia, PA 19103	\$942,818.50 General Unsecured	CIRCUIT CITY STORES, INC.	\$87,671.48 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.

## Case 08-35653-KRH Doc 11850 Filed 04/20/12 Entered 04/20/12 20:29:05 Desc Main Document Page 54 of 59

		BOOKS AND RECORDS CLAIMS TO B	E REDUCED			MODIFIED C	LAIMS
Date Filed	Claim Number	Name Address	Claim Amount	Debtor	Modified Claim Amount, Subject to Any Other Objections	Debtor	Comments
1/29/2009	8093	Centro Properties Group ta Conyers Crossroads Conyers GA  c o David L Pollack Ballard Spahr Andrews & Ingersoll LLP 1735 Market St 51st FI Philadelphia, PA 19103	\$1,038,874.38 General Unsecured	CIRCUIT CITY STORES, INC.	\$71,516.04 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.
4/30/2009	12528	Centro Properties Group ta Dickson City Crossing Dickson City PA c o David L Pollack Ballard Spahr Andrews & Ingersoll 1735 Market St 51st FI Philadelphia, PA 19103	\$787,812.02 General Unsecured	CIRCUIT CITY STORES, INC.	\$26,609.38 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.
4/30/2009	12639	Centro Properties Group ta Esplanade Shopping Center Oxnard CA c o David L Pollack Ballard Spahr Andrews & Ingersoll LLP 1735 Market St 51st FI Philadelphia, PA 19103	\$1,630,226.15 General Unsecured	CIRCUIT CITY STORES, INC.	\$92,504.88 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.
4/30/2009	12628	Centro Properties Group ta Freshwater Stateline Plaza Enfield CT c o David L Pollack Ballard Spahr Andrews & Ingersoll LLP 1735 Market St 51st Fl Philadelphia, PA 19103	\$818,537.72 General Unsecured	CIRCUIT CITY STORES, INC.	\$51,749.28 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.

# Case 08-35653-KRH Doc 11850 Filed 04/20/12 Entered 04/20/12 20:29:05 Desc Main Document Page 55 of 59

		BOOKS AND RECORDS CLAIMS TO B	E REDUCED		MODIFIED CLAIMS		
Date Filed	Claim Number	Name Address	Claim Amount	Debtor	Modified Claim Amount, Subject to Any Other Objections	Debtor	Comments
4/30/2009	12637	Centro Properties Group ta Heritage Square Naperville IL c o David L Pollack Ballard Spahr Andrews & Ingersoll LLP 1735 Market St 51st FI Philadelphia, PA 19103	\$506,795.54 General Unsecured	CIRCUIT CITY STORES, INC.	\$8,132.06 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.
4/30/2009	12582	Centro Properties Group ta Innes Market Salisbury NC  c o David L Pollack Ballard Spahr Andrews & Ingersoll LLP 1735 Market St 51st Fl  Philadelphia, PA 19103	\$435,634.84 General Unsecured	CIRCUIT CITY STORES, INC.	\$6,328.44 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.
4/30/2009	12560	Centro Properties Group ta Memphis Commons Memphis TN  c o David L Pollack Ballard Spahr Andrews & Ingersoll LLP 1735 Market St 51st FI Philadelphia, PA 19103	\$1,065,758.10 General Unsecured	CIRCUIT CITY STORES, INC.	\$141,758.08 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.
4/30/2009	12531	Centro Properties Group ta Midway Market Square Elyria OH c o David L Pollack Esq Ballard Spahr Andrews & Ingersoll LLP 1735 Market St 51st Fl Philadelphia, PA 19103	\$961,746.36 General Unsecured	CIRCUIT CITY STORES, INC.	\$74,346.36 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.

EXHIBIT B: Reduction of Certai Invalid Claims

Page 36

# Case 08-35653-KRH Doc 11850 Filed 04/20/12 Entered 04/20/12 20:29:05 Desc Main Document Page 56 of 59

		BOOKS AND RECORDS CLAIMS TO B	E REDUCED		MODIFIED CLAIMS			
Date Filed	Claim Number	Name Address	Claim Amount	Debtor	Modified Claim Amount, Subject to Any Other Objections	Debtor	Comments	
4/30/2009	12638	Centro Properties Group ta Montebello Plaza Montebello CA c o David L Pollack Ballard Spahr Andrews & Ingersoll LLP 1735 Markert St 51st Fl Philadelphia, PA 215-864-8325	\$723,461.44 General Unsecured	CIRCUIT CITY STORES, INC.	\$170,107.44 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
4/30/2009	12626	Centro Properties Group ta Northridge Plaza Milwaukee WI c o David L Pollack Ballard Spahr Andrews & Ingersoll LLP 1735 Market St 51st FI Philadelphia, PA 19103	\$666,286.00 General Unsecured	CIRCUIT CITY STORES, INC.	\$23,292.98 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
4/30/2009	12618	Centro Properties Group ta Springbrook Plaza Clanton OH  c o David L Pollack Ballard Spahr Andrews & Ingersoll LLP 1735 Market St 51st Fl  Philadelphia, PA 19103	\$468,959.03 General Unsecured	CIRCUIT CITY STORES, INC.	\$52,669.55 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
4/30/2009	12558	Centro Properties Group ta University Commons Greenville Greenville NC c o David L Pollack Ballard Spahr Andrews & Ingersoll LLP 1735 Market St 51st Fl	\$495,679.77 General Unsecured	CIRCUIT CITY STORES, INC.	\$33,271.07 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	

EXHIBIT B: Reduction of Certai Invalid Claims

# Case 08-35653-KRH Doc 11850 Filed 04/20/12 Entered 04/20/12 20:29:05 Desc Main Document Page 57 of 59

		BOOKS AND RECORDS CLAIMS TO B	E REDUCED		MODIFIED CLAIMS			
Date Filed	Claim Number	Name Address	Claim Amount	Debtor	Modified Claim Amount, Subject to Any Other Objections	Debtor	Comments	
12/12/2008	1604	Centro Properties Group ta Valley Crossing Hickory NC  c o David L Pollack Ballard Spahr Andrews & Ingersoll LLP 1735 Market St 51st FI  Philadelphia, PA 19103	\$153,341.43 General Unsecured	CIRCUIT CITY STORES, INC.	\$19,056.85 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
4/30/2009	12542	Centro Properties Group ta Westminster City Center Westminster CO  c o David L Pollack Esq Ballard Spahr Andrews & Ingersoll LLP 1735 Market St 51st Fl  Philadelphia, PA 19103	\$1,740,219.45 General Unsecured	CIRCUIT CITY STORES, INC.	\$391,359.22 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
2/27/2009	11238	CENTURY PLAZA DEVELOPMENT CORPORATION  John C Willsie Corporate Counsel The Seeno Companies 4021 Port Chicago Hwy  Concord, CA 94520-0000	\$1,959,982.56 General Unsecured	CIRCUIT CITY STORES WEST COAST, INC.	\$45,092.07 General Unsecured	CIRCUIT CITY STORES WEST COAST, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
3/3/2009	11669	CENTURY PLAZA DEVELOPMENT CORPORATION  John C Willsie Corporate Counsel The Seeno Companies 4021 Port Chicago Hwy  Concord, CA 94520	\$1,959,982.56 General Unsecured	CIRCUIT CITY STORES, INC.	\$45,092.07 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	

# Case 08-35653-KRH Doc 11850 Filed 04/20/12 Entered 04/20/12 20:29:05 Desc Main Document Page 58 of 59

		BOOKS AND RECORDS CLAIMS TO BE	REDUCED		MODIFIED CLAIMS			
Date Filed	Claim Number	Name Address	Claim Amount	Debtor	Modified Claim Amount, Subject to Any Other Objections	Debtor	Comments	
5/13/2009	12981	CGCMT 2006 C5 Glenway Avenue LLC  c o Mindy Mora Esq Bilzin Sumberg Baena Price & Axelrod LLP 200 S Biscayne Blvd Ste 2500  Miami, FL 33131	\$788,641.85 General Unsecured	CIRCUIT CITY STORES, INC.	\$57,129.44 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
1/27/2009	5955	Chalek Company LLC  Kenneth R Blumer Esq TroyGould PC 1801 Century Pk E Ste 1600  Los Angeles, CA 90067	\$275,135.60 General Unsecured	CIRCUIT CITY STORES, INC.	\$44,787.84 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
3/30/2009	11970	Chambersburg Crossing LLP  Attn Neil E Herman c o Morgan Lewis & Bockius LLP 101 Park Ave  New York, NY 10178	\$555,874.35 General Unsecured	CIRCUIT CITY STORES, INC.	\$10,861.23 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
6/30/2009	13939	Chandler Gateway Partners LLC  Thomas J Leanse Esq c o Katten Muchin Rosenman LLP 2029 Century Park E 26th FI  Los Angeles, CA 90067	\$845,867.45 General Unsecured	CIRCUIT CITY STORES WEST COAST, INC.	\$76,523.11 General Unsecured	CIRCUIT CITY STORES WEST COAST, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	

## Case 08-35653-KRH Doc 11850 Filed 04/20/12 Entered 04/20/12 20:29:05 Desc Main Document Page 59 of 59

		BOOKS AND RECORDS CLAIMS TO	BE REDUCED		MODIFIED CLAIMS			
Date Filed	Claim Number	Name Address	Claim Amount	Debtor	Modified Claim Amount, Subject to Any Other Objections	Debtor	Comments	
1/28/2009	6800	CHAPEL HILLS WEST LLC  1902 W COLORADO AVE STE 110  COLORADO SPRINGS, CO 80904	\$605,944.84 General Unsecured	CIRCUIT CITY STORES WEST COAST, INC.	\$19,409.76 General Unsecured	CIRCUIT CITY STORES WEST COAST, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
1/12/2009	3258	Charlotte Archdale UY LLC  Attn Kevin M Newman Esq Menter Rudin & Trivelpiece PC 308 Maltbie St Ste 200  Syracuse, NY 13204-1498	\$262,187.16 General Unsecured	CIRCUIT CITY STORES, INC.	\$0.00 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	
3/30/2009	11969	Chico Crossroads LP  Attn Neil E Herman c o Morgan Lewis & Bockius LLP 101 Park Ave  New York, NY 10178	\$382,613.37 General Unsecured	CIRCUIT CITY STORES, INC.	\$29,534.37 General Unsecured	CIRCUIT CITY STORES, INC.	Reduce by amount of rejection damages, subject to modification upon timely receipt of mitigation information.	